**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.M.JOSEPH**

**WEDNESDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929**

**WP(C).No. 29987 of 2007(T)**
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**PETITIONER:**
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**THE KADANAD SERVICE CO-OPERATIVE BANK LTD., NO.K.2., KOLLAPPILLY, ANTHINAD P.O., KOTTAYAM.**
**REPRESENTED BY ITS SECRETARY, MERCY GEORGE.**

**BY ADV. SRI.MATHEW JOHN (K)**
**SRI.AJEESH K.SASI**

**RESPONDENTS:**
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**1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.**

**2. THE KERALA STATE CO-OPERATIVE TYRE FACTORY LTD.NO.4398, NEELEMANGALAM, PERUMBAIKAD P.O., KOTTAYAM**
**REPRESENTED BY ITS MANAGING DIRECTOR.**

**BY GOVT. PLEADER SMT.ANU SIVARAMAN FOR R1**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**K.M.JOSEPH, J.**

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WP.(C) No.29987 of 2007

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Dated this the 10th day of October, 2007

**JUDGMENT**

Petitioner is a Co-operative Society. Petitioner has approached this court seeking mandamus to the first respondent to pass orders on Ext.P3 representation. First respondent is the Registrar of Co-operative Societies. According to the petitioner, petitioner submitted Ext.P3 representation before the first respondent praying for appropriate direction to the second respondent to return the share value of Rs.Five Lakhs together with reasonable interest on the same from the date of acceptance till the date of repayment of the same. I find that under Section 69, as it stands, an alternate mechanism has been provided for resolution of any dispute between a society and any other Society (Section 69(1)(d)). Dispute is defined as follows:

> "2(i). 'Dispute' means any matter touching the business, constitution, establishments or management of a society capable of being the subject of litigation and includes a claim in respect of any sum payable to or by a society, whether such claim be admitted or not;"

In such circumstances, after the amendment to Section 69, it is clear that no other authority has jurisdiction to deal with the matter and therefore the writ sought for by the petitioner is in effect would be a direction to the first respondent to act in a matter where he does not possess jurisdiction. In such circumstances, I decline jurisdiction. But I make it clear that this will be without prejudice to the right of the petitioner to invoke Section 69.

(K.M. JOSEPH, JUDGE)

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